

Message

From: Ungvarsky, John [Ungvarsky.John@epa.gov]
Sent: 9/17/2019 5:27:33 PM
To: Gretchen Bennett [gretchenb@myairdistrict.com]
CC: Brehler, Pippin@ARB [Pippin.Brehler@arb.ca.gov]; Turkiewicz, Katarzyna (Kasia)@ARB [kasia.turkiewicz@arb.ca.gov]; Tasat, Webster@ARB [webster.tasat@arb.ca.gov]; Sylvia Vanderspek [svanders@arb.ca.gov]; Julie Ruiz [nsaqmd.julie@gmail.com]; Gretchen Bennett, APCO (gretchen@myairdistrict.com) [gretchen@myairdistrict.com]; julier@myairdistrict.com; Hong, Jeanhee [Hong.Jeanhee@epa.gov]; Kay, Rynda [Kay.Rynda@epa.gov]; Lee, Anita [Lee.Anita@epa.gov]; Vineyard, Christine [Vineyard.Christine@epa.gov]; Melissa [m.klundby@ci.portola.ca.us]
Subject: RE: availability for next Portola call

Hi Gretchen –

As requested, please see narrative below regarding why it would be beneficial to tweak Ordinance 354 to address the contingency measure requirements. I've asked Anita to give you a call later this week to talk it through with you.

Thank you Jeanhee for taking the lead on the write-up.

Thanks

John Ungvarsky
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Background on Need for Minor Revision of Ordinance 354

Under the PM2.5 SIP Requirements Rule (PM2.5 SRR) at 40 CFR 51.1014(a), each attainment plan for a PM2.5 nonattainment area must contain specific contingency measures that take effect with minimal further action by the state or the EPA following a determination by EPA that the area has failed:

- (1) To meet any RFP requirement in an attainment plan approved in accordance with section 51.1012;
- (2) To meet any quantitative milestone in an attainment plan approved in accordance with section 51.1013;
- (3) To submit a quantitative milestone report required under section 51.1013(b); or
- (4) To attain the applicable PM2.5 NAAQS by the applicable attainment date.

We understand that the City of Portola has adopted a revised wood-burning ordinance (i.e., Ordinance 354) that is intended to address the last component of the contingency measure requirement in 51.1014(a)(4) (i.e., to take effect following a determination by EPA that the area has failed to attain the PM2.5 NAAQS by the applicable attainment date). Unfortunately, during the discussions leading up to the adoption of Ordinance 354, we collectively lost sight of the need to also adopt a contingency measure addressing the 2022 RFP and quantitative milestone date, as required in section 51.1014(a)(1) to (a)(3). The PM2.5 attainment plan that EPA recently approved for the Portola area identifies October 2019 and October 2022 as RFP and quantitative milestone dates, consistent with the requirements of the PM2.5 SRR. EPA has received the District's quantitative milestone report for the 2019 milestone date and, if the EPA finds that that report adequately demonstrates the area has met the 2019 RFP requirements and quantitative milestones, the requirement to submit contingency measures for failure to meet these requirements for 2019 would become moot. That quantitative milestone report does not, however, address the 2022 milestone date, so the State/District remain under an obligation in any case to submit contingency measures that would be triggered if EPA determines that the area has failed to meet an RFP or quantitative milestone requirement for 2022.

One potential way to address the contingency measure requirement for the 2022 milestone is to make a very minor revision to Ordinance 354. The revision would not alter the stringency of the current ordinance, but it would allow it to meet more than one need. The City of Portola would revise section 15.10.070 of Ordinance 354 to make its provisions effective within 60 days of (1) an EPA finding that the Plumas County area has failed to attain the 12 ug/m3 annual PM2.5 standard by the attainment date, (2) an EPA finding that the area has failed to meet any RFP requirement or quantitative milestone requirement in the Portola PM2.5 plan, or (3) an EPA finding that the State/District have failed to submit a required quantitative milestone report.

From: Gretchen Bennitt <gretchenb@myairdistrict.com>

Sent: Thursday, September 12, 2019 11:34 AM

To: Ungvarsky, John <Ungvarsky.John@epa.gov>

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Subject: Re: availability for next Portola call

John, as a friendly reminder, could you please provide me with a narrative discussing why a "tweak" to the city ordinance is necessary. Also, if EPA could provide wording they would approve that would be very helpful.

I would like to see this narrative PRIOR to our next meet. It would assist me in making any further decisions.

Thanks!!!

Gretchen Bennitt, Executive Director
Northern Sierra Air Quality Management District
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